

**AN ORDINANCE BY THE
PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

AN ORDINANCE TO AMEND SECTION 10-48 OF CHAPTER 10, ARTICLE II, DIVISION 2 OF THE CITY OF ATLANTA CODE OF ORDINANCES; SO AS TO PROVIDE A TIME WITHIN WHICH A NEIGHBORHOOD PLANNING UNIT (NPU) WILL CONSIDER AN APPLICATION FOR A LICENSE TO SELL ALCOHOL; TO ALLOW THE LICENSES AND PERMITS UNIT OF THE ATLANTA POLICE DEPARTMENT TO BEGIN THEIR REVIEW OF AN APPLICATION FOR A LICENSE TO SELL ALCOHOL CONCURRENTLY WITH THE REVIEW BY THE NPU; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in maintaining the public safety and welfare of the citizens of the City of Atlanta; and

WHEREAS, the City of Atlanta has an interest in having all applications it receives for a license to sell alcohol reviewed by the appropriate NPU and Licenses and Permits Unit of the Atlanta Police Department in a timely manner.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1.

That Chapter 10, Article II, Section 10-48(a) be amended to delete the current language and to insert in lieu thereof the following language:

- (a) All persons desiring to obtain a license required under this division shall make written application to the License and Permits Unit of the Atlanta Police Department for that privilege upon forms to be prepared and approved by the license review board. The application shall be sworn to by the applicant or agent thereof and shall state the following:
- (1) The name and address of the applicant;
 - (2) The place where the proposed business is to be located;
 - (3) The nature and character of the business to be carried on;
 - (4) If a partnership, the names of the partners;
 - (5) If a corporation, the names of the officers; and
 - (6) Such other information as may be required by the license review board.

SECTION 2.

That Chapter 10, Article II, Section 10-48(c)(1) be amended to delete the current language and to insert in lieu thereof the following language:

- (1) At least three (3) business days prior to the filing of the application for a license to sell alcohol, the applicant shall notify the commissioner of the department of planning, development and neighborhood conservation (DPDNC), or his designee, that the applicant intends to file an application for a license to sell alcohol. Such notice shall be provided on forms to be furnished by the DPDNC.

SECTION 3.

That Chapter 10, Article II, Section 10-48(c)(2) be amended to delete the current language and to insert in lieu thereof the following language:

- (2) The DPDNC shall then provide the applicant with a "Notice to Appear" before the NPU in which the proposed licensed establishment will be located. Such notice to appear shall include but not be limited to the date on which the applicant is scheduled to appear before the NPU and the contact telephone numbers for both the chairperson and vice chairperson of the NPU. The date on which the applicant is scheduled to appear before the NPU shall be within 60 days from the date the applicant provides notice to the DPDNC pursuant to section 10-48(c)(1). The date of notice from the applicant to the DPDNC shall not be included in the 60-day calculation. A copy of the notice to appear shall be forwarded to the NPU chairperson.

SECTION 3.

That Chapter 10, Article II, Section 10-48(c)(7) be amended to delete the current language and to insert in lieu thereof the following language:

- (7) The form upon which the NPU provides its recommendation and comments shall be signed by the chairperson of the NPU, or his designee, and by the commissioner of the DPDNC, or his designee. The form upon which the NPU provides its recommendation and comments shall be signed by the commissioner of the DPDNC, or his designee, within seven (7) days after its receipt from the NPU. Such signatures shall attest to the accuracy of the information contained in the form. The original signed form shall be returned to the applicant and a copy thereof shall be maintained, in the DPDNC.

SECTION 4.

That Chapter 10, Article II, Section 10-48(c)(8) be amended to delete the current language and to insert in lieu thereof the following language:

- (8) The form signed by both the chairperson of the NPU, or his designee, and by the commissioner of the DPDNC, or his designee, shall be submitted by the applicant to the Atlanta Police Department's Licenses and Permits Unit within seven (7) days its receipt by the applicant. The License Review Board shall not hear any application for a license to sell alcohol if the signed form verifying the applicant's attendance before the NPU has not been submitted to the Licenses and Permits Unit.

SECTION 5.

If it shall be found that any ordinance or parts of any ordinance are in conflict herewith, then those sections contained herein shall be deemed controlling.